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Date: **18 June 2021**

PRE-TRIAL CHAMBER II

Before: Judge Rosario Salvatore Aitala, Presiding Judge
Judge Antoine Kesia-Mbe Mindua
Judge Tomoko Akane

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF *PROSECUTOR v. MAHAMAT SAID ABDEL KANI***

**Public
with Confidential Annex A**

Prosecution's submission of a detailed table of its disclosed witnesses

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

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Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

States Representatives

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REGISTRY

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Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. INTRODUCTION

1. The Prosecution hereby submits Confidential Annex A, which is a table that identifies each witness disclosed to date. For each witness, the table also indicates the Evidence Registration Numbers (“ERNs”) of their statements and annexes, translation of the statements where applicable, and disclosure date. All ERNs are also hyperlinked to the eCourt case record.

II. CONFIDENTIALITY

2. Annex A, appended to this filing, is classified as “Confidential” as it relates to evidence disclosed *inter partes* that should not be released to the public.

III. SUBMISSIONS

3. On 10 June 2021, the Single Judge ordered by way of email, that the Prosecution submit a complete and detailed table of disclosed witnesses.¹ The Single Judge indicated that this table should contain the following information, including hyperlinked ERNs to eCourt:

- a) the code of the witness;
- b) the name of the witness;
- c) the gender of the witness;
- d) the witness statement(s), including the ERN number, the date, the type, the language and the ERN number of the translated version, if applicable;
- e) the ERN number of any witness screening note(s);
- f) the ERN number of transcription of interview;
- g) the ERN number of any attachments or annexes to the witness statement(s), screening note or transcription;
- h) the date of disclosure for each item; and
- i) the ERN number of any other related supporting material in relation to any Prosecution witnesses.

¹ Email received on 10 June 2021 at 8.28am.

4. On 11 June 2021, the Prosecution approached the legal team of the Chamber, to seek a meeting to discuss the order and the different existing technical feasibilities and options for the production of the requested table.
5. On 14 June 2021, the Prosecution and Defence had a constructive and very helpful meeting with Legal Officers of the Chamber. This meeting allowed the Parties to better understand the reasons behind the order and the specific and essential needs of the Chamber. It also gave the Prosecution the opportunity to explain the possible options in light of its technical, time and resource constraints.
6. On 17 June 2021, the Prosecution sent by way of email to the Chamber a draft table for its consideration. Two options were proposed related to the presentation of the Annexes in the table and their impact on hyperlinks.
7. On 18 June 2021, the Single Judge responded favourably by email to the Prosecution's proposed table.
8. In Confidential Annex A, the Prosecution submits the table as approved by the Single Judge. This list will be updated following the Prosecution's disclosure schedule.
9. The Prosecution appreciates the Chamber for its open discussion with the Parties in order to find a workable solution for the production of Annex A.

IV. Conclusion

10. The Prosecution hereby submits in Confidential Annex A, the table of its disclosed witnesses, in the format approved by the Single Judge.

A handwritten signature in blue ink, consisting of a stylized 'K' followed by a horizontal line and a dot.

Karim A. A. Khan QC, Prosecutor

Dated this 18th day of June 2021
At The Hague, The Netherlands